

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIGURD A. SORENSON,

Plaintiff,

10 Civ. 4596 (JGK)

- against -

MEMORANDUM OPINION
AND ORDER

ROBERT FRIEDMAN, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

As discussed on the record at today's conference, the plaintiff's request for leave to file an amended complaint is **granted**. The plaintiff may file an amended complaint by **July 22, 2011**. The defendants' time to move or answer is **August 19, 2011**. If the defendants move to dismiss the amended complaint, the plaintiff's time to respond is **September 9, 2011**, and the defendants' time to reply is **September 23, 2011**. If the defendants choose to answer the complaint without filing a motion to dismiss, they should advise the Court by letter of the decision, so that a scheduling conference may be set.


The defendants' motion to dismiss is **denied without prejudice** as moot. The plaintiff is advised, however, that because he is being given the opportunity to amend the complaint, the grant of any subsequent motion to dismiss will be with prejudice. See Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Inc., 2009 WL 3346674, at *2 n.14 (S.D.N.Y. Oct. 15, 2009)

(collecting cases). The Clerk is directed to close Docket No.

8.

SO ORDERED.

Dated: New York, New York
July 1, 2011



John G. Koeltl
United States District Judge